

REMARKS

The Office Action dated September 13, 2006 has been reviewed and carefully considered. Claims 1-28 are pending, the independent claims remaining 1, 9, 12, 22 and 25. Claims 1, 9, 12, 22 and 25 are amended. Reconsideration of the above-identified application, as amended and in view of the following remarks, is respectfully requested.

Claims 1-4, 7, 8, 10, 11, 25 and 26 stand rejected under 35 U.S.C. 102(b) as unpatentable over U.S. Patent No. 5,546,580 to Seliger et al. ("Seliger"). Claim 5, 16 and 25 stand rejected under 35 U.S.C. 103(a) as unpatentable over Seliger in view of the applicants' allegedly admitted prior art ("AAAPA").

Claim 1, as amended, recites: "wherein said merging includes an automatic adding of medical information, according to a protocol attribute, of the first or second medical study into the other medical study in the creating of said composite study. " Independent claims 9, 12, 22 and 25 recite similar limitations.

Support for the amendment of claim 1 is found at least at [0009] - [0011] and [0035].

Seliger fails to disclose or suggest the above-quoted aspect of claim 1. The Office Action cites col. 5, lines 39-42 and col. 12, lines 7-31 to show these limitations. Applicants respectfully disagree. In these sections Seliger teaches database events are processed in order of their sequence numbers, which involves updating the appropriate parameter values...the final parameter value reflects the current value. Accordingly, Seliger simply updates or changes one value for a new received value and does not merge or add new medical information, *according to a protocol attribute*, of the first or second medical study into a composite study, as claimed in claim 1.

A claim is anticipated only if each and every element recited therein is expressly or inherently described in a single prior art reference. Seliger cannot be said to anticipate the present invention, because Seliger fails to disclose each and every element recited.

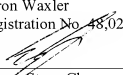
The invention recited in claims 1, 9, 12, 22 and 25 are not rendered anticipated by the teachings of the cited references. For at least this reason, applicant submits that the rejection of the claims has been overcome and respectfully requests withdrawal of the rejection and allowance of the claim.

The remaining claims are each dependent from the independent claim discussed above and are therefore patentable based on their dependency from an allowable base claim. For at least this reason, applicant respectfully requests withdrawal of the rejection and allowance of the remaining dependent claims.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

Aaron Waxler
Registration No. 48,027

By: 
Steve Cha
Attorney for Applicant
Registration No. 44,069

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Mail all correspondence to:

Aaron Waxler, Registration No. 48,027
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9608
Fax: (914) 332-0615